

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

Crim. No. 03-47 (JNE)
ORDER

Antwon M. Thompson,

Defendant.

This case is before the Court on Defendant Antwon M. Thompson's motion for a sentence reduction.¹ Defendant seeks a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) (Supp. V 2005) and the amendments to the Sentencing Guidelines related to crack cocaine. At sentencing on February 18, 2005, the Court concluded that Defendant was a Career Offender under U.S. Sentencing Guidelines Manual § 4B1.1 (2007). The Court further concluded that the seriousness of Defendant's criminal history was overstated by his Career Offender status, and the Court departed below the applicable guideline range and imposed a sentence of 120 months of imprisonment. *See id.* § 4A1.3. Because the Career Offender finding determined Defendant's base offense level and criminal history category, the amendments to the guidelines did not change Defendant's guideline range and do not provide a basis for a sentence reduction. As noted at sentencing, the Court departed downward to impose an appropriate sentence given Defendant's criminal history and the crime of which he was convicted. That sentence remains

¹ On March 11, 2008, the Court ordered that counsel be appointed for Defendant.

appropriate. Therefore, IT IS ORDERED THAT:

1. Thompson's Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(2) [Docket No. 79] is DENIED.

Dated: October 27, 2008

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge